



CITY COUNCIL
ATLANTA, GEORGIA

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-03-36

03-0-0847

AN ORDINANCE TO CORRECT CONDITION 23 TO Z-97-58, 98-0-0080, WHICH INADVERTENTLY REQUIRED A TRANSPORTATION MANAGEMENT PLAN BASED UPON ACTUAL TRAFFIC COUNTS FROM OCCUPIED BUILDINGS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT; AND FOR OTHER PURPOSES.

Whereas, Z-97-58, 98-0-0080, rezoning property at 1300 Mecaslin Street, N.W. from I-2 to C-4-C for the development of Atlantic Station was adopted by City Council on April 6, 1998 and approved by the Mayor on April 13, 1998; and

Whereas, Section 2 of said ordinance provides that the Director, Bureau of Buildings, shall issue a building permit for the development of said property only in compliance with the conditions to the rezoning and said ordinance enumerates site plans as conditions in subsections 1 through 4 and references in subsection 5 the attached written conditions, Nos. 1-27; and

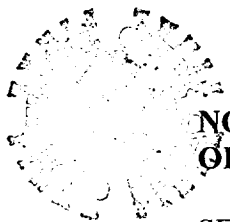
Whereas, Condition 23 requires a transportation management plan (TMP) be developed through the implementation of an annual commute mode survey taken from the day of initial occupancy of each tenant employing more than 50 employees; and

Whereas, Condition 23 also provides that the Bureau of Buildings shall not issue a building permit until such time as the applicant has submitted the TMP; and

Whereas, it is impossible to comply with Condition 23 since a TMP based on occupancy of buildings cannot be accomplished until building permits are issued to construct the buildings; and

Whereas, the Superior Court of Fulton County in an Order dated May 28, 2003 found that Chapter 27 of the City of Atlanta Zoning Code required a public hearing on this change in a condition to the original rezoning ordinance; and

Whereas, as a result of this ruling it is necessary for the City Council to reenact this ordinance after it has gone through the process set forth in Chapter 27 of the Zoning Ordinance.



NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. Condition 23 is hereby deleted and the existing language is replaced with the following language in lieu thereof:

23. The project developer shall submit a traffic management plan to the Director of the Bureau of Planning no later than January 31, 2005, for all businesses occupying non-residential space on the subject property and which employ more than 50 persons. The TMP shall contain strategies and implementation programs for reducing, during a five-year period from the first day of initial occupancy of each building, the number of single occupant vehicle trips generated by the occupants of the building. The goal shall be to reduce single occupant vehicle trips by 25 percent from those which would otherwise be generated. Said TMP shall include, but not be limited to:
- A. An estimate of the number of employees and visitors per hour estimated to use rail and bus transit throughout the day, and a bus and rail schedule showing the frequencies of stops near each non-residential property.
 - B. A description of how information regarding new or existing transit stops and building access to such stops will be displayed on each non-residential property in indoor or outdoor locations.
 - C. Identification of land uses that are projected to generate high volumes of pedestrian traffic and an illustration of the means of pedestrian access and assurance of continuity between these land uses.
 - D. Programs to promote and maintain employee participation in carpooling, vanpooling, and use of mass transit, including a system for monitoring the number of, and travel patterns of, ride sharers.

In addition, the project developer shall submit annual commute mode surveys, which shall account for the commuting modes during a continuous five-day work week for all employees arriving at each work site between 6:00 a.m. and 10:00 a.m., Monday through Friday.

During the construction of the project, the developer will post and issue notices directing all construction traffic to avoid all residential streets surrounding the project site.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

A true copy,

Phonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

September 2, 2003
September 10, 2003

RCS# 4995
9/02/03
2:14 PM

Atlanta City Council

Regular Session

MULTIPLE 03-O-0389; 03-O-0847; 03-O-1077; 03-O-1079

ADOPT ON SUB

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

MULTIPLE

